THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.4735 of 1999

Dated:27.06.2007

Between:

Karani Santhaiah and others.

..Petitioners.

and

The Divisional Forest Officer, Guntur Division, Guntur District, Guntur and others.

..Respondents.

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THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.4735 of 1999

ORDER:

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The petitioners seek a writ of mandamus to declare the action of the respondents in interfering with the rights of the petitioners in digging fish tanks in Sy.Nos.783/10 etc., of Gangadipalem Village of Repalle Mandal, Guntur District, as illegal, arbitrary and without jurisdiction. Consequential direction is also sought for.

Heard the learned counsel for the petitioners and the learned Government Pleader for Forests.

In relation to aquaculture, several regulative measures came to be made in the form of legislations as well as judicial pronouncements. The Coastal Regulatory Zone was notified and establishment of such tanks in such a zone is prohibited.

While admitting the writ petition, this Court granted interim order to the effect that in case the area in question is outside the limits notified under the Wild Life Protection Act and the Coastal Regulatory Zone, the respondents shall not interfere with the said activities. It was also left open to the respondents to take appropriate steps, if any such activity is carried out within the area

covered by the Wild Life Protection Act or the area notified as Coastal Regulatory Zone. Eight years have elapsed. It is not known whether the same state of affairs continues.

The Writ Petition is, therefore, disposed of, directing that any activity undertaken by the petitioners shall be subject to such measures and regulations as are in force. It shall be open to the respondents to enforce the same. There shall be no order as to costs.

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L. NARASIMHA REDDY, J

Dated:27.06.2007

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